

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: ROBERT UDEN

ART UNIT: 3754

SERIAL NO.: 10/599,872

EXAMINER: JAMES F. HOOK

FILED: OCTOBER 12, 2006

CONFIRMATION NO.: 5893

TITLE: WATER CONDITIONER

RESPONSE TO THE EXAMINER'S COMMUNICATION RE: AMENDMENT

Hon. Commissioner for Patents
United States Patent and Trademark Office
P. O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In reply to the Examiner's Communication, dated July 21, 2009, concerning Applicant's *Amendment in Response to the First Office Action*, filed April 8, 2009, the Examiner has stated that the *Amendment* was "not fully responsive to the prior Office Action," dated October 8, 2009, because Applicant did not separately address the Examiner's 35 U.S.C. §103(a) obviousness rejection of dependent Claim 20, as being obvious over Bergmann *et al.*, U.S. Patent No. 4,352,378, taken in view of Bey, U.S. Patent No. 5,772,178.

The subject matter of prior Claim 20 is currently presented as dependent Claim 31, as per the *Amendment* filed April 8, 2009, and necessarily incorporates the limitations of independent Claim 26, which is the pending claim of broadest scope. At page 6 of the *Amendment*, Applicant explained why the subject matter of Claim 26 should be deemed allowable over the prior art of record, including that of Bergmann. Because Applicant respectfully submits that independent Claim 26 is patentable over the prior art, and dependent Claim 31 incorporates all of the limitations of Claim 26, and adds further limitations, it is respectfully contended that dependent Claim 31 must, likewise, be allowable over the combination of Bergmann, taken in view of Bey.

Accordingly, withdrawal of the 35 U.S.C. §103(a) obviousness rejection of prior dependent Claim 20 (now dependent Claim 31), as being obvious over Bergmann, taken in view of Bey, is respectfully requested and earnestly solicited.

Respectfully submitted,

ROBERT UDEN

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